

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
SONYA WARREN,

Plaintiff,

-against-

JO ANNE B. BARNHART,
Commissioner of Social Security,

Defendant.
-----X

JUDGMENT
05-CV- 2282 (DLI)

IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ OCT 06 2005 ★

P.M. _____
TIME A.M. _____

An Order of Honorable Dora L. Irizarry, United States District Judge, having been filed on September 30, 2005, finding that the Commissioner of Social Security ("the Commissioner") is unable to locate the tape of plaintiff's administrative hearing conducted on September 13, 2004 and, therefore, cannot prepare a certified administrative record for filing with the Court as required by the third sentence of 42 U.S.C. § 405(g); and remanding the case to the Commissioner pursuant to the sixth sentence of 42 U.S.C. § 405(g) to an Administrative Law Judge for a *de novo* hearing and a new decision; it is

ORDERED and ADJUDGED that the case is remanded to the Commissioner pursuant to the sixth sentence of 42 U.S.C. § 405(g) to an Administrative Law Judge for a *de novo* hearing and a new decision.

Dated: Brooklyn, New York
October 04, 2005

ROBERT C. HEINEMANN
Clerk of Court